

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MATTHEW ALLEN LAWTON,

Plaintiff,

vs.

SUPERINTENDENT BRAINT and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,

Defendants.

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) 2:20-cv-1953
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) Hon. J. Nicholas Ranjan

) Magistrate Judge Maureen P. Kelly
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MEMORANDUM ORDER

This is a *pro se* habeas case pursuant to 28 U.S.C. § 2254. This matter was referred to Magistrate Judge Maureen P. Kelly for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court applicable to Magistrate Judges.

Currently before the Court is a Report & Recommendation filed by Judge Kelly on January 11, 2021, ECF 6, recommending that the Court transfer Mr. Lawton's petition, ECF 1, to the Middle District of Pennsylvania. The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), objections to the Report & Recommendation were due by January 25, 2021. Mr. Lawton subsequently submitted a letter notifying the Court that he had also filed a state PCRA petition in the Court of Common Pleas of Potter County, but he did not file any objections to the Report & Recommendation. ECF 8. Mr. Lawton has also filed a motion to appoint counsel, which the Court will address by separate order. ECF 9.

Upon a *de novo* review of the record of this matter and the Report & Recommendation, the Court finds no clear error on the face of the record, and therefore enters the following order:

AND NOW, this **29th day of January, 2021**, it is hereby **ORDERED** that this case be transferred forthwith to the United States District Court of the Middle District of Pennsylvania.

It is **FURTHER ORDERED** that Judge Kelly's Report & Recommendation, ECF 6, is **ADOPTED** as the opinion of the Court.

BY THE COURT:

/s/ J. Nicholas Ranjan
United States District Judge